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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No.: 3-14 70421 MAG (NC)
)	
Plaintiff,)	STIPULATION AND [PROPOSED] ORDER FOR
)	RELEASE OF DOCUMENTS AND AMENDMENT
v.)	OF TERMS AND CONDITIONS OF RELEASE
)	
GEORGE NIEH,)	
)	
)	
Defendant.)	
)	

The defendant, George Nieh, made an initial appearance on a criminal complaint before Magistrate Judge Nathanael Cousins on March 26, 2013. The defendant was in custody and was represented by Assistant Federal Public Defender Elizabeth Falk. The government moved for detention of the defendant. However, after the defense advised the Court that the defendant has medical issues relating to dialysis, the Court ordered the defendant released on a personal recognizance bond with certain conditions, including electronic monitoring. The bond provides that the defendant is permitted to leave home for medical appointments and court appearances. In order to verify the defendant's

1 representations about his need for dialysis treatment the next day and to assess issues regarding
 2 detention or release, the Court ordered the defendant to provide documentation from his physician
 3 describing the defendant's condition and course of care.

4 The defendant next appeared before the Court on March 28, 2014 with provisionally-appointed
 5 counsel, Gil Eisenberg. The Court advised the parties that it had received the medical documentation
 6 from the defendant.

7 The parties have discussed the matter and hereby stipulate and move the Court for an order
 8 requiring Pre-Trial Services to provide the government copies of any medical documentation and
 9 information provided by the defendant or his counsel to the Court. Going forward, the defense agrees to
 10 provide the government with copies of any information and documentation relating to defendant's
 11 medical condition that the defendant provides to the Court and Pre-Trial Services.

12 The matters of appointment of counsel and bail review are scheduled to be heard by the Court on
 13 April 3, 2014 at 11:00 a.m. At that time, the issue of detention or release will be revisited. In the
 14 interim, the defense seeks a modification of the terms and conditions of release to permit the defendant
 15 to leave his residence in order to visit his attorney. It is understood that all such visits will be pre-
 16 approved by Pre-Trial Services. The government has no objection to this modification of the current
 17 terms and conditions of release.

18 SO STIPULATED.

19 MELINDA HAAG
 20 United States Attorney

21 Date: March 31, 2014

_____/s/_____
 22 SUSAN E. BADGER
 Assistant United States Attorney

23
 24 Date: March 31, 2014

_____/s/_____
 25 GIL EISENBERG
 Counsel for George Nieh

[PROPOSED] ORDER

Based upon the stipulation of the parties and good cause appearing, IT IS HEREBY ORDERED that Pre-Trial Services provide to the government copies of all medical documentation and information provided by the defendant or his counsel to Pre-Trial Services to date.

IT IS FURTHER ORDERED that the terms and conditions of the defendant's release are modified to permit the defendant to leave his residence in order to meet with his attorney at his attorney's office or the Federal Courthouse at 450 Golden Gate Avenue, San Francisco, CA. The defendant or his counsel will notify, and obtain permission from, Pre-Trial Services in advance of such visits.

Date:

NATHANAEL COUSINS
UNITED STATES MAGISTRATE JUDGE